IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.451 OF 2007

IN

CRIMINAL APPEAL NO.458 OF 2006

Sopan Deoram Kale : Applicant.

versus

State of Maharashtra : Respondent

Mr.Mahesh Pahane for the applicant.
Mr.P.A.Pol, APP, for the State/Respondent

CORAM : A.S.OKA, J.

DATED : 11/09/2007.

P.C.

1. Heard learned counsel appearing for the applicant. As the earlier bail application made by the applicant was rejected by this Court by an order dated 15th November 2006, this application has been ordered to be placed before this Court by an Administrative Order dated 7th September

2007 passed by the Hon'ble the Chief Justice.

2. The applicant has been convicted for the offence punishable under Section 376 of the Indian Penal Code. The allegation is that at the time of incident the age of the prosecutrix was less than 15 years. The substantive sentence of the applicant is 7 years.

3. After hearing learned counsel for the applicant, I am satisfied that as of today no case is made out of change in the circumstances requiring interference with the view taken earlier. As per earlier order, hearing of the appeal is expedited. If the appeal preferred by the applicant is not listed for hearing within a period of six months from today, the applicant can always approach this Court by way of a fresh application for grant of bail.

4. Subject to what is stated above, the application is rejected.

[A.S.OKA, J.]